

[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 193

[Docket No. FAA-1999-6001; Notice No. 99-14]

RIN 2120-AG36

Protection of Voluntarily Submitted Information

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Proposed rule; reopening of comment period.

SUMMARY: On July 26, 1999, the FAA published a Notice of Proposed Rulemaking (NPRM) regarding protection of voluntarily submitted information and invited comments for a 60-day period. The comment period closed on September 24, 1999; however, the FAA is reopening the comment period for an additional 30 days in response to a request from the National Transportation Safety Board (NTSB). Per NTSB, the reopening of the comment period is needed to permit NTSB, and other affected parties, additional time to develop comments responsive to Notice No. 99-14.

DATES: Comments must be received on or before November 4, 1999.

ADDRESSES: Comments on this proposed rulemaking should be mailed, or delivered, in duplicate, to: U.S. Department of Transportation Dockets, Docket No. FAA-1999-6001, 400 Seventh Street, SW., Room Plaza 401, Washington, DC 20590. Comments may be filed and examined in Room Plaza 401 between 10 a.m. and 5 p.m. weekdays, except Federal holidays. Comments also may be sent electronically to the Dockets Management System (DMS) at the following Internet address: <http://dms.dot.gov> at

anytime. Commenters, who wish to file comments electronically, should follow the instructions on the DMS web site.

FOR FURTHER INFORMATION CONTACT: Marisa Mullen, Office of Rulemaking, ARM-205, or Mardi Thompson, Office of Assistant Chief Counsel, AGC-200, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-7653 or (202) 267-3073, respectively.

SUPPLEMENTARY INFORMATION

Comments Invited

Interested persons are invited to participate in the making of the proposed action by submitting such written data, views, or arguments as they may desire. Comments relating to the environmental, energy, federalism, or economic impact that might result from adopting the proposals in this document also are invited. Substantive comments should be accompanied by cost estimates. Comments must identify the regulatory docket or notice number and be submitted in duplicate to the DOT Rules Docket address specified above.

All comments received, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking, will be filed in the docket. The docket is available for public inspection before and after the comment closing date.

All comments received on or before the closing date will be considered by the Administrator before taking action on this proposed rulemaking. Comments filed late will be considered as far as possible without incurring expense or delay. The proposals in this document may be changed in light of the comments received.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this document must include a pre-addressed, stamped postcard with those comments on which the following statement is made: "Comments to Docket No. FAA-1999-6001." The postcard will be date stamped and mailed to the commenter.

Availability of NPRMs

An electronic copy of this document may be downloaded using a modem and suitable communications software from the FAA regulations section of the FedWorld electronic bulletin board service (telephone: (703) 321-3339) or the Government Printing Office (GPO)'s electronic bulletin board service (telephone: (202) 512-1661).

Internet users may reach the FAA's web page at <http://www.faa.gov/avr/arm/nprm/nprm.htm> or the GPO's web page at <http://www.access.gpo.gov/nara> access to recently published rulemaking documents.

Any person may obtain a copy of this document by submitting a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267-9680. Communications must identify the notice number or docket number of this NPRM.

Persons interested in being placed on the mailing list for future rulemaking documents should request from the above office a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

Background

On July 26, 1999, the FAA published in the Federal Register (64 FR 40471) Notice No. 99-14, entitled "Protection of Voluntarily Submitted Information" that would

add a new part to provide that certain information submitted to the FAA on a voluntary basis would not be disclosed. This proposal would implement a new statutory provision and is intended to encourage people to provide information that will assist the FAA in carrying out its safety and security duties. The comment period closed September 24.

By requests dated September 15 and 22, NTSB asked that the comment period be extended 30 days to permit a more careful review and consideration of the proposed rule.

The FAA has determined that a reopening of the comment period will allow NTSB, and others as well, additional time for a more thorough review of applicable issues and questions raised by the NPRM, and the drafting of responsive comments. The FAA recognizes, in addition, that the intervening holiday period may have impeded the ability of interested persons to formulate comprehensive responses to the issues in the NPRM.

In order, therefore, to give all interested persons additional time to complete their comments, the FAA finds that it is in the public interest to reopen the comment period for thirty (30) days.

Issued in Washington, DC, on September 29, 1999.

/s/

Anthony F. Fazio

Director, Office of Rulemaking